

### REMARKS

Claims 1-16 are pending in the present application. Applicants add new claims 17-24 herein. Claims 14-16 are canceled herein. No new matter has been added by way of this amendment. Support for the newly added claims can be found throughout the published application (U.S. Publication No. 2002/0116063), for example, at page 3, paragraph 0027, and paragraph 0033.

The claims of the present application were restricted into two groups by the Examiner in a Restriction Requirement mailed March 8, 2004 as follows:

- Group I, claims 1-13, directed to a method for effective treatment of articulating joint surface cartilage by transplantation of chondrocytes to a surface to be treated; and
- Group II, claims 14-16, directed to a kit.

Responsive to the Restriction Requirement, Applicants hereby elect to prosecute the claims of Group I, claims 1-13. This election is made without traverse and without prejudice to the inclusion of the same or different subject matter of the non-elected claims in any later filed divisional or continuation application.

Applicants respectfully request that new claims 17-24 be examined with the claims of elected Group I. Alternatively, applicants request further restriction and examination of the present application to claims 17-24.

Applicants respectfully submit that the pending claims are in condition for examination. Favorable examination of claims 1-13 and/or new claims 17-24 on the merits is respectfully requested at this time.

Respectfully submitted,

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(Date)

by:

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